

76-2-201 Definitions.

As used in this part:

- (1) "Agent" means any director, officer, employee, or other person authorized to act in behalf of a corporation or association.
- (2) "High managerial agent" means:
 - (a) A partner in a partnership;
 - (b) An officer of a corporation or association;
 - (c) An agent of a corporation or association who has duties of such responsibility that his conduct reasonably may be assumed to represent the policy of the corporation or association.
- (3) "Corporation" means all organizations required by the laws of this state or any other state to obtain a certificate of authority, a certificate of incorporation, or other form of registration to transact business as a corporation within this state or any other state and shall include domestic, foreign, profit and nonprofit corporations, but shall not include a corporation sole, as such term is used in Title 16, Chapter 7, Corporations Sole. Lack of an appropriate certificate of authority, incorporation, or other form of registration shall be no defense when such organization conducted its business in a manner as to appear to have lawful corporate existence.

Enacted by Chapter 196, 1973 General Session